

FILED

DEC 27 2005

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKAUNITED STATES DISTRICT COURT
DISTRICT OF ALASKA
16 DeputyAlbert Dewey Sevy v. UNIVERSAL BANK, N.A. et al

THE HONORABLE RALPH R. BEISTLINE

DEPUTY CLERK

CASE NO. F05-0008CV(RRB)CAROLYN BOLLMANPROCEEDINGS: MINUTE ORDER FROM CHAMBERSDATE: December 27, 2005

Plaintiff's motion, filed December 21, 2005 at docket number 34, seeks to have the court again reconsider its Order of Dismissal dated October 24, 2005. However, there is no question that Winston S. Burbank is a District Court Judge employed by the state of Alaska. Plaintiff, in fact, references "judge Burbank" in his complaint. Further, the Court can take judicial notice of Judge Burbank's status as a judge. Moreover, this entire claim arises from an order of summary judgment entered by Judge Burbank in state court in the course and scope of his employment.

Plaintiff's claims against Alaska Law Offices and Steven L. James do not state claims upon which relief can be granted. Counsel was simply asserting a claim on behalf of a client which the state court determined to be valid. This Court lacks the jurisdiction to review that matter.

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Plaintiff's concern about the state judgment entered against him and the debt buying practices associated therewith should have been addressed in the state court. They cannot now be raised in Federal Court.

Simply stated, Plaintiff's lawsuit must be dismissed for the reasons previously articulated by this Court. The Court will no accept any further pleadings in this matter regarding the merits of the Plaintiff's claims against the dismissed parties.

In as much as Plaintiff has not properly served Universal bank, N.A., the claims against it will be dismissed if service is not obtained within thirty days of this order.

F05-0008--CV (RRB)

/ S. JONES

/ A. SEVY

/ B. PAGE (AAG-200)

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